

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JOSEPH VOLFMAN,

Plaintiff,

-against-

MISS DU'S TEA SHOP, INC., et al.,

Defendants.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 9/3/2024

24-CV-2973 (PAE) (BCM)

**ORDER**

**BARBARA MOSES, United States Magistrate Judge.**

Plaintiff Joseph Volfman filed his Complaint on April 19, 2024 (Dkt. 1), and the Clerk of Court issued electronic summonses as to defendants Miss Du's Tea Shop Inc. and East Stone LLC on April 22, 2024. (Dkts 5, 6.)

On July 26, 2024 (proof of service of the Summons and Complaint not yet having been filed), the Court directed plaintiff to, no later than August 31, 2024, either (i) serve the Summons and Complaint upon both defendants and file proof of such service; or (ii) show cause in writing why this Court should not dismiss the action as to any unserved defendants.

On August 30, 2024, plaintiff filed two affidavits of service of the Summons and Complaint, showing that service was effected on May 30, 2024, "at the office of the Secretary of State of the State of NY, located at 99 Washington Avenue, 6th Fl, Albany, NY 12231." (Dkts 11, 12.)

Counsel for defendant East Stone LLC entered an appearance on July 4, 2024 (Dkt. 9), but defendant Miss Du's Tea Shop Inc. has not appeared, no answer has been filed, and plaintiff has not requested a certificate of default.

It is hereby ORDERED that, if defendants have not answered or otherwise responded to the Complaint before **September 16, 2024**, plaintiff shall, on that date, either file a stipulation granting defendants additional time or apply for entry of default.

It is further ORDERED that plaintiff shall serve a copy of this order by mail on defendants at the address of the subject premises.

Dated: New York, New York  
September 3, 2024

**SO ORDERED.**



**BARBARA MOSES**  
United States Magistrate Judge